

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

KARI BINSKI,

Plaintiff,

v.

**GENERAL MILLS SERVICES, INC.;
GENERAL MILLS SALES, INC.; GENERAL
MILLS CEREALS PROPERTIES, LLC;
GENERAL MILLS CEREALS, LLC AND
GENERAL MILLS OPERATIONS, LLC,**

Defendants.

Case No. 15 CV 01709

Judge:

**STIPULATION AND AGREEMENT BY PARTIES TO DISMISS CERTAIN
DEFENDANTS AND EXTEND THE TIME FOR DEFENDANT GENERAL MILLS
OPERATIONS, LLC, TO ANSWER PLAINTIFF'S COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED by the parties as follows:

1. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, defendants GENERAL MILLS SERVICES, INC.; GENERAL MILLS SALES, INC.; GENERAL MILLS CEREALS PROPERTIES, LLC; and GENERAL MILLS CEREALS, LLC ("Dismissed Defendants") are hereby dismissed from this action without prejudice and without costs to any party.

2. Should either party discover during the course of litigation in this matter that any of the Dismissed Defendants were indeed properly named in Plaintiff's initial Complaint, Dismissed Defendants and Defendant General Mills Operations, LLC, agree the statute of limitations for such defendants will toll for claims alleged in the initial complaint until the above-captioned case is resolved. Upon resolution of the above-captioned case, the Dismissed Defendants are dismissed with prejudice from this action.

3. In addition, in light of the foregoing, and for further reasons stated below, the parties further agree and stipulate to extend Defendant General Mills Operations, LLC's time to Answer the Complaint in this matter.

4. Specifically, Defendants were served with the Complaint and Summons on January 26, 2015, filed in the 17th Judicial Circuit Court in Winnebago County, Illinois. On February 25, 2015, this case was removed by Defendants to the Northern District of Illinois, Western Division.¹

5. Due to the recent stipulation to dismiss certain Defendants and the need for Defendant's counsel to further investigate the allegations in the Complaint, Defendant General Mills Operations, LLC, requires additional time within which to file an answer or otherwise respond to the Complaint and thus requests a 21 day extension, to March 24, 2015, to do so.

6. The parties will not be prejudiced by an extension of time of 21 days for Defendant General Mills Operations, LLC, to answer the Complaint and Defendant General Mills Operations, LLC does not seek an extension of time in bad faith. Plaintiff's counsel stipulates to a 21-day extension of time.

WHEREFORE, the Parties request this Court order the Dismissed Defendants dismissed pursuant to the Parties' Stipulation and to extend Defendant General Mills Operations, LLC's time to answer Plaintiff's Complaint up to and including March 24, 2015.

For Plaintiff:

For Defendant General Mills Operations, LLC:

By: /s/ Joe Pumilia
Joe Pumilia
321 W. State St. Suite 805
Rockford, Illinois 61101
(888) 635-0010

By: /s/ Stephen B. Rotter
David L. Christlieb
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¹ This matter was inadvertently filed or assigned to the Eastern Division and is currently being re-assigned to the Western Division. At the time of this filing, no Western Division judge has yet been assigned.

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Stephen B. Rotter

Stephen B. Rotter